BILL NO. Z-70-07-16

ZONING MAP ORDINANCE NO. Z-147-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. F-19, F-21, G-19 and G-21.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map Nos. F-19, F-21, G-19 and G-21 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Real estate in the NE 1/4 of Section 17 and part of DeRome Reserve, Township 31 North, Range 13 East in Allen County, Indiana, more specifically described as follows, towit:

Commencing at a point in the centerline of the St. Joe Road that is South 36 degrees West a distance of 404 feet from the point of intersection with the centerline of the St. Joe Road and the Evard Road, thence South 72 degrees East a distance of 687.8 feet to a point, thence South 36 degrees West a distance of 400 feet to a point, thence North 72 degrees West a distance of 687.8 feet to a point on the centerline of St. Joe Road, thence North 36 degrees East, along the centerline of St. Joe Road a distance of 400 feet to the place of beginning, containing 6.15 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by ~~Dunifon~~ Rousseau seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations ~~(and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 196__, at _____ o'clock P.M., E.S.T.~~ and to the city Plan Commission

Date: 7-14-70 Fred G. Bonahoom
City Clerk

Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted, placed on its passage.

Passed (~~LOST~~) by the following vote:

	AYES 9,	NAYS 0,	ABSTAINED ____,	ABSENT ____ to-wit:
Adams	✓			
Dunifon	✓			
Fay	✓			
Geake	✓			
Nuckols	✓			
Robinson	✓			
Rousseau	✓			
Steigerwald	✓			
Tipton	✓			

Date 7-13-71 Fred G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) ~~(General) (Annexation) (Special) (Appropriation)~~ Ordinance ~~(Resolution)~~ No. Z 147-71 on the 13th day of July, 1971.

ATTEST: (SEAL)

Fred G. Bonahoom
City Clerk

[signature]
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of July, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fred G. Bonahoom
City Clerk

Approved and signed by me this 14th day of July, 1971 at the hour of 9:45 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-07-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 24, 1970.

Certified and signed this 12th day of July 1971.

Mary Ann Haynie

Mary Ann Haynie
Secretary

Bill No. Z-70-07-16

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map Nos. F-19, F-21, G-19 and G-21,

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

JOHN H. ROBINSON

CONCURRED IN

DATE 7-13-71 FUAD G. BONAHOOM, CITY CLERK

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

GENERAL FUND

Nº 15

FT. WAYNE, IND., June 22, 1970

RECEIVED FROM Pion Landscaping Co. Inc. $25.00

THE SUM OF Twenty five and 00/100 DOLLARS

ON ACCOUNT OF Pet to rezone NE1/4 Sec 17 and part of Derome Reserve Twsp 31N Rang 13E Allen County Ind.

Patricia L. Carl

AUTHORIZED SIGNATURE

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

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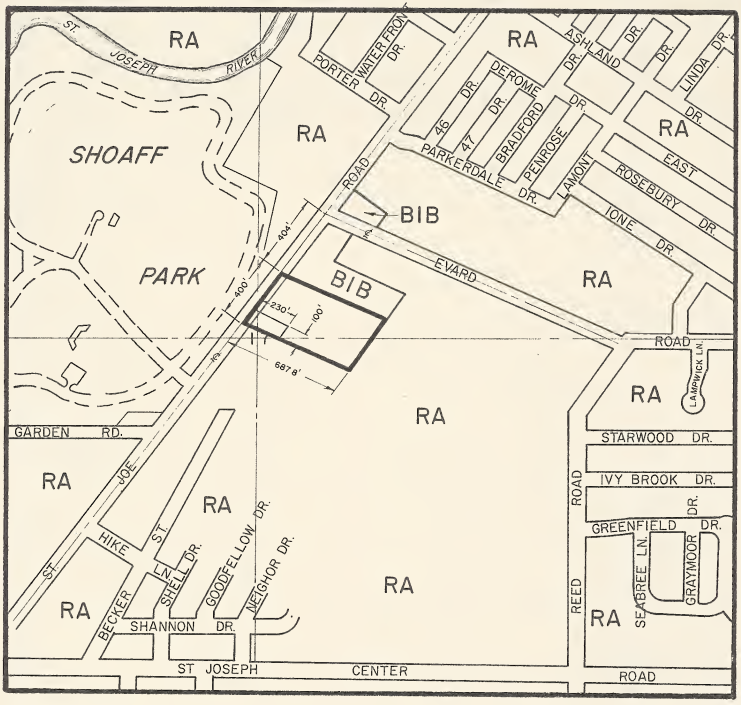

C–CHANGE FROM RA TO BIB

Z-70-07-16

BOOK PAGES – F19, F21, G19, G21

6-22-70

PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from a/an RA District to a/an B1B District, the real estate described as follows, to-wit:

REAL ESTATE IN THE NORTHEAST QUARTER OF SECTION 17 AND PART OF DEROME RESERVE, TOWNSHIP 31 NORTH, RANGE 13 EAST IN ALLEN COUNTY, INDIANA, MORE SPECIFICALLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT A POINT IN THE CENTERLINE OF THE ST. JOE ROAD THAT IS SOUTH 36 DEGREES WEST A DISTANCE OF 404 FEET FROM THE POINT OF INTERSECTION WITH THE CENTERLINE OF THE ST. JOE ROAD AND THE EVARD ROAD, THENCE SOUTH 72 DEGREES EAST A DISTANCE OF 687.8 FEET TO A POINT, THENCE SOUTH 36 DEGREES WEST A DISTANCE OF 400 FEET TO A POINT, THENCE NORTH 72 DEGREES WEST A DISTANCE OF 687.8 FEET TO A POINT ON THE CENTERLINE OF ST. JOE ROAD, THENCE NORTH 36 DEGREES EAST, ALONG THE CENTERLINE OF ST. JOE ROAD A DISTANCE OF 400 FEET TO THE PLACE OF BEGINNING, CONTAINING 6.15 ACRES, MORE OR LESS.

* James J. Schibley

Mary H. Schibley

Carl H. Pugsley

Irma L. Pugsley

AGREEMENT

We, Carl H. Pugsley and Irma L. Pugsley, [illegible] and James J. Schibley and Mary G. Schibley, husband and wife being the owners of real estate in Allen County, Indiana, described as follows: [illegible] attached description

A. Real estate in the Northeast quarter of Section 17 and part of DeRome Reserve, Township 31 North, Range 13 East in Allen County, Indiana, specifically described as follows: commencing at a point on the center line of the St. Joe Road that is South 36 degrees West a distance of 604 feet from the point of intersection of St. Joe Road and the Evard Road, thence South 72 degrees East a distance of 687.8 feet to a point, thence South 36 degrees West a distance of 200 feet to a point, thence North 72 degrees West a distance of 687.8 feet to a point on the centerline of said St. Joe Road, thence North 36 degrees East along said road centerline a distance of 200 feet to the point of beginning, containing 3.15 acres, more or less, subject to County Road right of way across the West boundary thereof.

B. Real estate in the Northeast quarter of Section 17 and part of DeRome Reserve, Township 31 North, Range 13 East in Allen County, Indiana, specifically described as follows: commencing at a point on the centerline of the St. Joe Road that is South 36 degrees West a distance of 604 feet from the point of intersection of the centerlines of said St. Joe Road and Evard Road, thence South 72 degrees East a distance of 687.8 feet to a point, thence South 36 degrees West a distance of 200 feet to a point, thence North 72 degrees West a distance of 457.8 feet to a point, thence North 36 degrees East a distance of 100 feet to a point, thence North 72 degrees West a distance of 230 feet to a point on the centerline of the St. Joe Road, thence North 36 degrees East along said centerline a distance of 100 feet to the point of beginning, containing 2.50 acres, more or less, subject to County Road right of way across the West boundary thereof

of this Agreement as Exhibit "A")

We will complete said work within six months after building permits for the erection of building or buildings on the real estate are issued. If the work under this Agreement is not so completed, all construction work on the real estate shall stop forthwith, and all use of the real estate for [illegible] R-3 Zoning uses

[illegible] necessary thereto shall stop forthwith. This Agreement may be enforced by the City of Fort Wayne by injunction or otherwise.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, this 2nd day of June, 1971, personally appeared James J. Schibley and Mary G. Schibley, husband and wife, and acknowledged the execution of the above Dedication to be their voluntary act and deed.

Notary Public

SEAL

My commission expires:

June 23, 1972

STATE OF)
) SS:
COUNTY OF)

Before me, a Notary Public in and for said County and State, this 2nd day of June, 1971, personally appeared Carl H. Pugsley and Irma L. Pugsley, husband and wife, and acknowledged the execution of the above Dedication to be their voluntary act and deed.

John H. Logan
Notary Public

SEAL

My commission expires:

June 23, 1972

This instrument prepared by John H. Logan, Attorney at law, Member Allen County Indiana Bar Association.

APPROVED BY THE
CITY PLAN COMMISSION
JUNE 24, 1971

D E D I C A T I O N

We, Carl H. Pugsley and Irma L. Pugsley, husband and wife, and James J. Schibley and Mary G. Schibley, husband and wife, all over the age of 21 years, of Allen County, Indiana, hereby dedicate to the public for street purposes, in consideration of One Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, a strip of land in Allen County, Indiana, described as follows:

The West 40 feet only of each of the following described parcels of real estate:

A. Real estate in the Northeast quarter of Section 17 and part of DeRome Reserve, Township 31 North, Range 13 East in Allen County, Indiana, specifically described as follows: commencing at a point on the center line of the St. Joe Road that is South 36 degrees West a distance of 404 feet from the point of intersection of St. Joe Road and the Evard Road, thence South 72 degrees East a distance of 687.8 feet to a point, thence South 36 degrees West a distance of 200 feet to a point, thence North 72 degrees West a distance of 687.8 feet to a point on the centerline of said St. Joe Road, thence North 36 degrees East along said road centerline a distance of 200 feet to the point of beginning, containing 3.15 acres, more or less, subject to County Road right of way across the West boundary thereof.

B. Real estate in the Northeast quarter of Section 17 and part of DeRome Reserve, Township 31 North, Range 13 East in Allen County, Indiana, specifically described as follows: commencing at a point on the centerline of the St. Joe Road that is South 36 degrees West a distance of 604 feet from the point of intersection of the centerlines of said St. Joe Road and Evard Road, thence South 72 degrees East a distance of 687.8 feet to a point, thence South 36 degrees West a distance of 200 feet to a point, thence North 72 degrees West a distance of 457.8 feet to a point, thence North 36 degrees East a distance of 100 feet to a point, thence North 72 degrees West a distance of 230 feet to a point on the centerline of the St. Joe Road, thence North 36 degrees East along said centerline a distance of 100 feet to the point of beginning, containing 2.50 acres, more or less, subject to County Road right of way across the West boundary thereof.

Witness our Hands and seals this 28 day of June, 1971.

Carl H. Pugsley (SEAL)
Carl H. Pugsley

James J. Schibley (SEAL)
James J. Schibley

Irma L. Pugsley (SEAL)
Irma L. Pugsley

Mary G. Schibley (SEAL)
Mary G. Schibley

Witness our hands and seals this [illegible] day of [illegible]

[illegible]

Carl H Pugsley (SEAL)
Carl H. Pugsley

Irma L. Pugsley (SEAL)
Irma L. Pugsley

James J. Schibley
James J. Schibley

Mary G. Schibley
Mary G. Schibley

Prepared by John H. Logan,
Attorney

APPROVED BY THE
CITY PLAN COMMISSION
JUNE 29, 1971

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev 1967)

Common Council-City of Ft. Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	-
Body	number of lines	88
Tail	number of lines	1
	Total number of lines in notice	89

COMPUTION OF CHARGES

89 lines, columns wide equals equivalent lines at .288¢ cents per line	$ 25.63
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	$ 25.63

DATA FOR COMPUTING COST

Width of single column 11 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date July 31, 19 71 — Title Clerk

Legals

Notice is hereby given that on the 13th day of July, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map ordinance, to-wit:

Bill No. Z-70-07-16

ZONING MAP ORDINANCE NO. Z-147-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. F-9, F-21, G-19 and G-21.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map Nos. F-9, F-21, G-19 and G-21 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Real estate in the NE ¼ of Section 17 and part of DeRome Reserve, Township 31 North, Range 13 East in Allen County, Indiana, more specifically described as follows, to-wit:

Commencing at a point in the centerline of the St. Joe Road that is South 36 degrees West a distance of 404 feet from the point of intersection with the centerline of the St. Joe Road and The Everd Road, thence South 72 degrees East a distance of 687.8 feet to a point, thence South 36 degrees West a distance of 400 feet to a point, thence North 72 degrees West a distance of 687.8 feet to a point on the centerline of St. Joe Road, thence North 36 degrees East, along the centerline of St. Joe Road a distance of 400 feet to the place of beginning, containing 6.13 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

EDWIN J. ROUSSEAU, Councilman

Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Adams, Dunlap, Foy, Geake, Nuckols, Robinson, Rousseau, Steigerwald, Tipton.

Nays none

Date: 7-13-71.

FUAD G. BONAHOOM, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-147-71 on the 13th day of July, 1971.

ATTEST:

FUAD G. BONAHOOM, City Clerk

PHIL A. STEIGERWALD, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of July, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

FUAD G. BONAHOOM, City Clerk

Approved and signed by me this 14th day of July, 1971, at the hour of 9:45 o'clock A.M., E.S.T.

HAROLD S. ZEIS, Mayor.

I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. Z-147-71 passed by the Common Council on the 13th day of July 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 14th day of July, 1971 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of July, 1971.

FUAD G. BONAHOOM, City Clerk

7—22-29.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that S he is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city / town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

July 22, 1971

July 29, 1971

A. M. Hostman

Subscribed and sworn to before me this 31st day of July 19 71

Edith Stapleton
Notary Public

My commission expires March 8, 1974

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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89 lines, columns wide equals equivalent lines at .288¢ cents per line — $25.63

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM — $25.63

DATA FOR COMPUTING COST

Width of single column 11 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

H. Owen

Date July 31, 19 71 — Title CLERK

Notice is hereby given that on the 13th day of July, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map ordinance, to-wit:
Bill No. Z-70-07-16
ZONING MAP ORDINANCE NO. Z-147-71
AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. F-17, F-21, G-19 and G-21
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the area described as follows is hereby designated as B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto and the symbols on the City of Fort Wayne Zoning Map Nos. F-17, F-21, G-19 and G-21 referred to therein, established by Section 5, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:
Real estate in the NE ¼ of Section 17 and part of DeRome Reserve, Township 31 North, Range 13 East in Allen County, Indiana, more specifically described as follows, to-wit:
Commencing at a point in the centerline of the St. Joe Road that is South 36 degrees West a distance of 404 feet from the point of intersection with the centerline of the St. Joe Road and the Evord Road, thence South 72 degrees East a distance of 687.8 feet to a point, thence South 36 degrees West a distance of 400 feet to a point, thence North 72 degrees West a distance of 687.8 feet to a point on the centerline of St. Joe Road, thence North 36 degrees East, along the centerline of St. Joe Road a distance of 400 feet to the place of beginning, containing 4.15 acres, more or less.
SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.
EDWIN J. ROUSSEAU, Councilman
Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted, placed on its passage. Passed by the following vote:
Ayes nine
Adams, Dunifon, Fay, Geake, Nuckols, Robinson, Rousseau, Stellerwald, Tipton.
Nays none
Date: 7-13-71.
FUAD G. BONAHOOM, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-147-71 on the 13th day of July, 1971.
ATTEST:
FUAD G. BONAHOOM, City Clerk
PHIL A. STEIGERWALD, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of July, 1971 at the hour of 8:30 o'clock A.M., E.S.T.
FUAD G. BONAHOOM, City Clerk
Approved and signed by me this 14th day of July, 1971, at the hour of 9:45 o'clock A.M., E.S.T.
HAROLD S. ZEIS, Mayor
I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. Z-147-71 passed by the Common Council on the 13th day of July 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 14th day of July, 1971 and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of July, 1971.
FUAD G. BONAHOOM, City Clerk
7—22-29.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned XXXXXXXXXXXXX H.OWEN who, being duly sworn, says that he is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

July 22, 1971
July 29, 1971

H. Owen

Subscribed and sworn to before me this 31st day of July 19 71

Edith Stapleton
Notary Public

My commission expires March 8, 1974